

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jack H. Kuhn,

Civil No. 05-2872 (JNE-JJG)

Petitioner,

v.

ORDER

J.S. Walton, et al.,

Respondents.

This matter is before the undersigned upon the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Kuhn's petition for a writ of habeas corpus under 28 U.S.C. § 2241 (Doc. No. 1) is

DENIED AS MOOT.

2. The BOP's motion to dismiss (Doc. No. 13) is **DENIED AS MOOT.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 7th day of June, 2007.

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Court Judge